

RECORD OF PROCEEDINGS

MINUTES OF A SPECIAL MEETING OF
THE BOARD OF DIRECTORS OF THE
EAST SMOKY HILL METROPOLITAN DISTRICT NO. 2 (THE
“DISTRICT”)
HELD
FEBRUARY 9, 2021

A special meeting of the Board of Directors of the East Smoky Hill Metropolitan District No. 2 (referred to hereafter as the “Board”) was convened on Tuesday, February 9, 2021, at 6:00 p.m. **Due to concerns regarding the spread of the Coronavirus (COVID-19) and the benefits to the control of the spread of the virus by limiting in-person contact, this District Board meeting was held via Microsoft Teams. The meeting was open to the public.**

ATTENDANCE

Directors In Attendance Were:

Connie Buhlke, President
Charlotte Faris, Assistant Secretary
Bonnie Bowman, Treasurer
Laura Embleton, Secretary

Also, In Attendance Were:

Denise Denslow, Krista Baptist & Janece Soendker; CliftonLarsonAllen LLP
Stefanie Miller; Flowerscapes CO.
Jake Willett; ColoradoScapes, Inc.
Tom Tanner; Homeowner’s Association

ADMINISTRATIVE MATTERS

Call to Order: Director Buhlke called the meeting to order at 6:13 p.m.

Disclosures of Potential Conflicts of Interest: The Board discussed the requirements pursuant to the Colorado Revised Statutes to disclose any potential conflicts of interest or potential breaches of fiduciary duty to the Board of Directors and to the Secretary of State. A quorum was present and it was requested that members of the Board disclose any potential conflicts of interest with regard to any matters scheduled for discussion at this meeting, and incorporated for the record those applicable disclosures made by the Board members prior to this meeting in accordance with the statute.

Quorum, Location of Meeting, Posting of Meeting Notice and Agenda: Upon a motion duly made by Director Bowman, seconded by Director Embleton, and upon a vote unanimously carried, the Board confirmed a quorum, the location of the meeting and the posting of the meeting notice and approved the Agenda as presented.

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Public Comment: None.

Minutes from November 11, 2020 Special Board Meeting: The Board reviewed the November 11, 2020 Special Meeting Minutes. Upon a motion duly made by Director Buhlke, seconded by Director Bowman, and upon a vote unanimously carried, the Board approved the minutes from the November 11, 2020 Special Board Meeting as presented.

LEGAL MATTERS

None.

FINANCIAL MATTERS

Unaudited Financial Statements as of December 31, 2020 and Cash Position Report: Ms. Soendker reviewed the Unaudited Financial Statements and Cash Position Report with the Board. Upon a motion duly made by Director Embleton, seconded by Director Bowman, and upon a vote unanimously carried, the Board accepted the Unaudited Financial Statements as of December 31, 2020 and Cash Position Report.

Bill.com Payments Totaling \$37,726.60 and Directors' Fees: The Board reviewed the Bill.com Payments and Directors' Fees. Upon a motion duly made by Director Embleton, seconded by Director Buhlke, and upon a vote unanimously carried, the Board approved the Bill.com payments totaling \$37,726.60 and Directors' Fees.

Current Claims Totaling \$18,583.70: The Board reviewed the current claims. Upon a motion duly made by Director Embleton, seconded by Director Bowman, and upon a vote unanimously carried, the Board approved the current claims totaling \$18,583.70.

Investment Review: Ms. Denslow provided an investment status update to the Board and stated that there is nothing new to report or review.

Other: None.

MANAGER ITEMS

Other: None.

LANDSCAPE UPDATE

Landscaping Activity: Mr. Willett provided a brief landscaping activity update to the Board. He reported that the only notable activity is winter watering and trash monitoring because it is currently the slow part of the season.

Flowerscapes: Ms. Miller provided a Flowerscapes update to the Board and reported that they will begin preparing the flowerbeds in March, if weather permits. She stated that they will pull all perennial weeds and till and add BioComp compost to improve the soil, and they will put down preemergent in the spring. She stated that the flowers have been ordered and she will monitor the weather and coordinate this work to avoid late-season snow and/or freezing.

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Director Faris and Ms. Miller agreed to begin email correspondence about these needs and plans going forward. Mr. Willett and Ms. Miller agreed to coordinate on irrigation needs.

ColoradoScapes: Mr. Willett provided a ColoradoScapes update to the Board. He reported that he has many available technicians in the area, and he plans to be very responsive. He also stated that the first round of winter watering has been completed. Mr. Tanner and Mr. Willett discussed the option to add fertilizer to the winter watering process, and Mr. Willett agreed to send an updated proposal to the Board on Thursday, February 11. Mr. Willett also reported that there is still winter watering, pruning, and pine needle cleanup to be completed.

Davey Tree: It was reported than an agreement has been executed with Davey Tree and the District will be implementing the program. Ms. Denslow provided an update to the Board and stated that she will send additional updates to the Board via email once they become available.

Termination to JBK Regarding Landscape Maintenance and Flowers: Ms. Denslow reported to the Board that the termination to JBK regarding landscape maintenance and flowers is complete.

Termination of Current Dog Station Contract: Ms. Denslow reported to the Board that the termination of the current dog station contract is complete.

Other: None.

BOARD MEMBER ITEMS

Status of Playground Shades – Permitting Issues: Ms. Denslow provided an update on the status of playground shades to the Board. She stated that she checked in with Summit and they reported that they are working through permitting issues.

Update on Homeowner Association: Mr. Tanner provided an update on the Homeowner Association to the Board. He stated that the monument sign which was damaged three weeks ago will be repaired in the next week, weather permitting. He also reported that some HOA events are still up in the air due to COVID-19, but the Association is working on restructuring those and strengthening their contingency plans so that a version of the Easter Egg event can continue. He informed the Board that the December event contracts have been signed.

District Taking Over Trash Service from HOA: Mr. Tanner provided an update on trash service responsibility to the Board. He reported that funding would benefit the HOA's ability to complete the outstanding fencing project. He also stated that he and the HOA management would agree to maintain their

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status as the trash company's liaison. Following discussion, the Board stated that they are interested in contributing funding for trash services, or assuming the contract altogether. Ms. Denslow reported that she will discuss the Board's presented options with Ms. Harris. The Board requested that the paperwork needed for their contribution to the HOA's trash services be included as an item on the May meeting agenda, pending legal review. Upon a motion duly made by Director Embleton, seconded by Director Buhlke, and upon a vote unanimously carried, the Board approved the staff direction to proceed in creating the agreement to implement the trash service cost contribution in 2021.

OTHER BUSINESS

Quorum for Next Meeting, May 11, 2021: A quorum was confirmed for the continued meeting on May 11, 2021 at 6:00 p.m.

ADJOURNMENT

Upon a motion duly made, seconded, and upon a vote unanimously carried, the Board adjourned the meeting at 7:37 p.m.

Respectfully submitted,

DocuSigned by:

Laura Embleton

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Secretary for the Meeting